

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Implementation of Sections 309(j) and 337)	WT Docket No. 99-87
Of the Communications Act of 1934, As Amended)	
)	
Promotion of Spectrum Efficient Technologies on)	RM-9332
Certain Part 90 Frequencies)	

To: The Commission

**COMMENTS OF THE NATIONAL
ASSOCIATION OF MANUFACTURERS AND MRFAC, INC.**

The National Association of Manufacturers (“the NAM”) and MRFAC, Inc. (“MRFAC”) (collectively, “NAM/MRFAC”), by their counsel, hereby submit comments in support of the request that the Commission defer enforcement of the 6.25 kHz requirement set forth in Section 90.203(j)(5) of the Rules. In support, NAM/MRFAC submit the following:

The NAM is the nation’s largest and oldest multi-industry trade association. The NAM represents 14,000 member companies (including 10,000 small and mid-sized manufacturers) and 350 member associations serving manufacturers and employees in every industrial sector and all 50 States. Headquartered in Washington, D.C., NAM has 10 additional offices across the country.

MRFAC is one of the Commission’s certified frequency coordinators for the private land mobile bands from 30 to 900 MHz. MRFAC began its operations over 25 years ago as the frequency coordinating arm for the NAM. For the past two decades MRFAC has operated independently, providing coordination and licensing-related services for manufacturers and other industrial/business entities. MRFAC has long participated in spectrum rulemaking affecting the

interests of manufacturers. More specifically, MRFAC has supported the FCC's efforts to improve efficiency in the refarming bands and filed comments in WT Docket 99-87 supporting a date certain for conversion to 12.5 kHz technologies.

Certain petitions have recently been filed with the Commission relative to the 6.25 kHz requirement.¹ In particular, Rule 90.203(j)(5) requires applications for equipment authorization in the 150-174 MHz ("150 MHz") and 421-512 MHz ("450 MHz") bands (collectively, "Refarming Bands") submitted on or after January 1, 2005 to specify 6.25 kHz capability.

NAM/MRFAC agree with the Joint Petition that it is premature to impose an equipment certification deadline for 6.25 kHz technologies. NAM/MRFAC take this position for several reasons, chief among them being the lack of a 6.25 kHz interoperability standard. Although efforts to establish a 6.25 kHz interoperability standard are ongoing through the Project 25 Steering committee, standardization efforts typically take 3-5 years to complete. Forcing equipment manufacturers to include a 6.25 kHz operating mode prior to the establishment of a 6.25 kHz standard exposes them to the risk of re-design and re-manufacture once a standard is finally established. This will increase manufacturing costs, which will ultimately be passed on to consumers, i.e. NAM and MRFAC members.

Moreover, requiring radio equipment manufacturers to include 6.25 kHz technologies in radios submitted for certification after January 1, 2005 will do little to increase the efficiency of the Refarming Bands. Most systems currently deployed in 150-170 and 450-512 MHz operate at 25 kHz bandwidth, leaving no "green space" for new, 6.25 kHz operations. The Commission

¹ Petitions filed jointly by E. F. Johnson Company, Kenwood U.S.A. Corporation and Motorola, Inc. (hereinafter the "Joint Petition"); and by Ritron, Inc. Comments in support have been filed by Tait North America, Inc., Daniels Electronics, Ltd., and the Land Mobile Communications Council.

has recently established a date certain for existing users to migrate to 12.5 kHz technologies. That date is currently over 8 years in the future for non-public safety users and over 13 years out for public safety users. The Commission also has an open rulemaking to determine what dates, if any, should be established for conversion to 6.25 kHz (or equivalent) technologies. Commenters in that proceeding have suggested that it is premature to establish a 6.25 kHz conversion deadline until those technologies have had a chance to develop and be tested in real-world deployments. The commenters have also suggested that the 6.25 kHz equipment certification deadline be eliminated or, at minimum, extended for at least two years. Such an extension would give the Project 25 Steering Committee time to develop a standard to which manufacturers could then develop 6.25 kHz or equivalent equipment.

NAM/MRFAC member companies seek to keep costs low, and protect their workers and the communities surrounding their manufacturing plants. Interoperability with local public safety agencies is vital to manufacturing operations. Private radio systems provide the tools to help meet those goals. While the industry strives to improve the efficiency of radio systems by implementing new technologies, uncertainty about whether a new radio would have to be replaced prematurely in order to meet the Project 25 Phase II interoperability standard does not help keep costs down, nor does it enhance the safety or interoperability.

Finally, it should be noted that Rule 90.203(j)(5) was adopted as a means of encouraging transition to narrowband technologies through the equipment authorization process. The Commission has already determined that this approach has been ineffective. It should therefore, eliminate the Rule while it deliberates further action in WT Docket 99-87.

Accordingly, for the foregoing reasons NAM/MRFAC support the Joint Petition and urge the Commission to act favorably thereon.

Respectfully submitted,

THE NATIONAL ASSOCIATION OF
MANUFACTURERS

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